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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/532,598

12/06/2005

Lars Bogelund Jensen

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EXAMINER

HOLLOWAY, IAN KNOBEL

ART UNIT

PAPER NUMBER

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/532,598	Applicant(s) JENSEN ET AL.	
	Examiner IAN K. HOLLOWAY	Art Unit 3763	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Receipt is acknowledged of applicant's amendment filed (4/23/2008). Claims 1-18 have been canceled without prejudice. Claims 19-38 are pending and an action on the merits is as follows.

Applicant's arguments with respect to claims 19-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over **Brown et al. (US Patent 4701159)**, herein after referred to as **Brown** in view of **Shoor (US Patent 4256106)**.

Regarding **Claim 19, Brown** discloses a first connector part (**62**, the first connector part) and a second connector part, (**40**, the second connector part) each connector part including at least one connecting portion (**68**, the connecting portion) configured to engage with at least one corresponding connecting portion (**68**, the other connecting portion) of the other connector part to connect said first and second connector parts in substantially linear alignment with one another, said second connector part having a disk (**45**, the connecting disk) with a through-going hole in communication with each corresponding connecting portion, respectively, and a second engagement structure on said disk, said first and second engagement structures being complementary to one another to engage through respective rotational movement thereof about said longitudinal axis to lock the connection between said first and second connector parts against separation in response to longitudinally directed force in an absence of respective counter-rotational movement of said first and second engagement structures

Brown fails to disclose a releasable locking member configured to assist in disengaging the engagement between said connecting portions, said releasable locking member having a first engagement structure and being secured to the first connector part in a fixed position relative to a longitudinal axis of said first connector part while being rotatably movable about said longitudinal axis at said fixed position

However, **Shoor** teaches a releasable locking member (**15**, the pins) configured to assist in disengaging the engagement between said connecting portions, said releasable locking member having a first engagement structure (**16**, the groove) and

being secured to the first connector part in a fixed position relative to a longitudinal axis of said first connector part while being rotatably movable about said longitudinal axis at said fixed position.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use a bayonet lock as taught by **Shoor**, since **Shoor** states at column 3, lines 29-42 that such modification would ensure a hermetic seal can be formed. Thus, it would have been obvious to one of ordinary skill in the art to apply a bayonet lock as taught in **Shoor**, to improve the connector of **Brown** for the predictable result of improving the effectiveness of the device.

Regarding **Claim 20**, **Brown** discloses: two holes arranged with a small spacing. (**Fig. 4a**, four holes can be seen in figure).

Regarding **Claim 21**, **Brown** discloses: internal threads, (**73**, the internal threads) and the second engagement structure of the second connector part includes external threads. (**49**, **69**, the external threads)

Regarding **Claim 22**, **Brown** discloses: at least one recess. (**Fig. 4a**, **49**, the recess).

Regarding **Claim 23**, **Brown** discloses: two or more recesses. (**Fig. 4a**, **49**, the recess).

Regarding **Claim 24**, **Brown** discloses: at least one of the through-going holes extends into the recess. (**Fig. 4a**, the holes can be seen extending through the recess).

Regarding **Claim 25**, **Brown** discloses the invention claimed as stated above except for a bayonet coupling having at least one track in the releasable locking

member and at least one projection on the second connector part, said at least one track including at least one portion extending obliquely with respect to an axial direction of the releasable locking member.

However, **Shoor** teaches a bayonet coupling (**15 and 16**, a bayonet coupling) having at least one track in the releasable locking member and at least one projection on the second connector part, said at least one track including at least one portion extending obliquely with respect to an axial direction of the releasable locking member.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use a bayonet lock as taught by **Shoor**, since **Shoor** states at column 3, lines 29-42 that such modification would ensure a hermetic seal can be formed. Thus, it would have been obvious to one of ordinary skill in the art to apply a bayonet lock as taught in **Shoor**, to improve the connector of **Brown** for the predictable result of improving the effectiveness of the device.

Regarding **Claim 26**, **Brown** discloses an axial extension (**45**, an axial extension) such that the first and the second connector parts are brought into connection with each other before activation of the releasable locking member

Regarding **Claim 27**, **Brown** discloses: a handle. (**64**, the handle).

Regarding **Claim 28**, **Brown** discloses: two male luer lock connecting portions and the second connector part includes two female luer lock connecting portions. (**4 found, 68 in Fig. 4a**).

Regarding **Claim 29, Brown** discloses: first connector part or said second connector part is associated with a probe for an irrigation system. (**Fig. 1**, the connector is used with a catheter which are used in irrigation systems).

Regarding **Claim 30, Brown** discloses: a first connector part (**62**, the first connector part) and a second connector part, (**40**, the second connector part) said first connector part including two male luer lock connecting portions configured to engage with two female luer lock connecting portions (**4 found, 68 in Fig. 4a**) of the second connector part to connect said first and second connector parts in substantially linear alignment with one another through axial movement, said second connector part having a transversely extending disk (**45**, the disk) with a second engagement structure thereon, said first and second engagement structures being complementary to one another to engage through respective axial rotational movement thereof to lock the connection between said first and second connector parts against separation in response to axial force.

Brown fails to disclose a releasable locking member configured to assist in disengaging the engagement between said connecting portions, said releasable locking member having a first engagement structure and being secured to the first connector part in a fixed position relative to a longitudinal axis of said first connector part while being rotatably movable about said longitudinal axis at said fixed position

However, **Shoor** teaches a releasable locking member (**15**, the pins) configured to assist in disengaging the engagement between said connecting portions, said releasable locking member having a first engagement structure (**16**, the groove) and

being secured to the first connector part in a fixed position relative to a longitudinal axis of said first connector part while being rotatably movable about said longitudinal axis at said fixed position.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use a bayonet lock as taught by **Shoor**, since **Shoor** states at column 3, lines 29-42 that such modification would ensure a hermetic seal can be formed. Thus, it would have been obvious to one of ordinary skill in the art to apply a bayonet lock as taught in **Shoor**, to improve the connector of **Brown** for the predictable result of improving the effectiveness of the device.

Regarding **Claim 31**, **Brown** discloses: a through-going hole (**Fig. 4a**, a through going hole can be seen) in communication with each corresponding connecting portion.

Regarding **Claim 32**, **Brown** discloses: two through-going holes in communication with each corresponding connecting portion, said holes being arranged with a small spacing. (**Fig. 4a**, the holes have a small space between the holes).

Regarding **Claim 33**, **Brown** discloses: internal threads, (**73**, the internal threads) and the second engagement structure of the second connector part includes external threads. (**49, 69**, the external threads).

Regarding **Claim 34**, **Brown** discloses: at least one recess. (**Fig. 4a, 49**, the recess).

Regarding **Claim 35**, **Brown** discloses: two or more recesses. (**Fig. 4a, 49**, the recess).

Regarding **Claim 36, Brown** discloses: at least one of the through-going holes extends into the recess. (**Fig. 4a, 49**, the holes can be seen extending through the recess).

Regarding **Claim 37, Brown** discloses: an axial extension (**45**, an axial extension) such that the first and the second connector parts are brought into connection with each other before activation of the releasable locking member.

Regarding **Claim 38, Brown** discloses: a handle. (**64**, the handle).

Applicant's arguments filed 4/23/2008 have been fully considered but they are not persuasive.

Response to Arguments

Applicant states, the releasable locking member does not permit the motion disclosed in the invention. However, Shoor demonstrates that rotational motion is a common feature in bayonet couplings.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IAN K. HOLLOWAY whose telephone number is (571)270-3862. The examiner can normally be reached on 8-5, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas D. Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ian K Holloway/
Examiner, Art Unit 3763

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/Nicholas D Lucchesi/

Supervisory Patent Examiner, Art Unit 3763